



ELBERT COUNTY, COLORADO

The Board of Elbert County Commissioners met in a regularly scheduled meeting on July 11, 2012
with roll call of members as follows:

Del Schwab- PRESENT

Kurt Schlegel- PRESENT

John Shipper- PRESENT

The Board of County Commissioners convened at 9:10 a.m., Chairman Del Schwab called the
meeting to order.

Prayer given by: Pastor John Smith from Majestic View Church in Kiowa

Pledge of Allegiance

**The Board of County Commissioner's meetings are streamed live via the Internet and are
recorded for later use.**

1. **AGENDA:** Commissioner Shipper moved to add the signing of Mylars for SU12-0001, a Special Use Permit for the Swanson Family Cemetery that was approved June 27, 2012 by Resolution 12-30, to the Consent Agenda.
Commissioner Schlegel requested that items 8-b & c be removed from the agenda for future review.
Commissioner Shipper moved to approve the Agenda, with changes, as drafted.
Commissioner Schlegel seconded, motion passed
2. **Correspondence:** Commissioner Shipper read into record a letter from Mr. & Mrs. Harold Gold regarding their opposition to re-introducing prairie dogs into Elbert County.
3. **Consent Agenda:** All matters listed on the Consent Agenda are considered routine by the Board and will be enacted by one (1) motion in the form below. There will be no separate discussion of these items. If discussion is desired on any item(s) and permitted by the Board, those items will be considered separately.
 - a. Approval of minutes from June 27th, 2012
 - b. Vouchers/Warrants
 - c. Approval to serve alcohol for Elizabeth Celtic Special Event on July 21st and 22nd, 2012.
 - d. Release of Escrow Funds in the amount of \$2,750.0 to Enertia Consulting Group, LLC for NextEra Wind Farm for review of engineering documents, to be



paid from account # 010-00-4571, for invoice No. 057-12. Curtis Carlson, Elbert County Community and Development Services.
Commissioner Shipper moved to approve the Consent Agenda with changes.
Commissioner Schlegel seconded, motion passed.

4. AWARDS/RECOGNITION:

- 5. ELECTED OFFICIAL/DEPARTMENT HEADS:** The Elected Officials and Department Heads comments is a time when any elected official or department head may bring forth items of interest or concern. During this time each individual will have (3) minutes to present view(s) on County matters. No formal action will be taken on these items during this time.
- Craig Curl (ECEA) Mr. Curl came before the board and announced there would be a job fair today, July 11th from 1- 4p.m. at the Fairgrounds Exhibit Hall. Mr. Curl stated the Colorado Work Force and the SBDC would be present with approximately 30 participants from different companies offering jobs available for and around Elbert County.
 - Ed Ehmann, Director of Public Works. Mr. Ehmann provided the Board with an update on the Roadway Construction Projects. Due to recent rain, the Public Works Department found it necessary to revegetate certain areas. Survey on CR 194 has been completed and is ready to go out to bid at the end of July. The Public Works Department will be working with Elkhorn Ranch to complete a portion of CR 17 as well as a ½ mile portion of CR 29. All projects have been budgeted for.
 - Commissioner Schlegel informed the public that although Gov. Hickenlooper rescinded the state-wide burn ban, Elbert County has not changed the Stage III burn restriction that is currently in effect.

- 6. Staff Report:** Sheila Kelly, CSU Extension Agent/4H Director for Elbert County. Ms. Kelly announced the upcoming County Fair July 28 – August 5, 2012 and stated they will be serving different meals than have been served in the past and offering guided tours of the fair. Commissioner Schwab commended Ms. Kelly for her hard work, as she is the only CSU Extension Agent to Elbert County and announced that the Board is now in partnership with Ms. Kelly in approaching CSU again to get an additional agent to serve Elbert County.
- Ed Ehmann, Elbert County Director of Public Works. Mr. Ehmann encouraged the public to take advantage of the Fair Grounds Tour during the County Fair, as there have been many changes.

7. Old Business:



- a. Approval of John Deere/Honnen Equipment-Motor grader Lease #030-0057346-014 and #030-0057346-013. Ed Ehmann, Elbert County Public Works.

Commissioner Shipper moved that the Board approve and execute the Lease-Purchase Agreement, and any ancillary documentation thereto, between Elbert County and Deere Credit, Inc. regarding the lease of a John Deere 772GP Motor Grader, serial # 1DW772GPCCE645945, with a Rybind RW12RL snow wing, serial # R66912, and a Balderson style front lift group, for the contract price of \$256,483.00, payable at \$9,703.75 quarterly for a period of five years, together with a guaranteed buy-back by Honnen Equipment of \$205,000.00 at the end of the lease-purchase term.

Commissioner Schlegel seconded, motion passed.

Commissioner Shipper moved that the Board approve and execute the Lease-Purchase Agreement and any ancillary documentation thereto, between Elbert County and Deere Credit, Inc. regarding the lease of a John Deere 772GP Motor Grader, serial # 1DW772GPTCE645753, with a Rybind RPD1248 severe duty angle plow, serial # R42012, and Balderson style front lift group, for the contract price of \$262,038.00, payable at \$9,993.41 quarterly for a period of five years, together with a guaranteed buy-back by Honnen Equipment of \$180,000.00 at the end of the lease-purchase term.

Commissioner Schlegel seconded, motion passed.

8. New Business:

- a. Colorado Immunization Program-Amendment 35 Immunization Funds: Kathy Kruse-Sylvester, Elbert County Department of Health and Environment.
Commissioner Shipper moved that the Board approve and execute the Colorado Immunization Program Amendment 35 Immunization Funds Statement of Work between the Colorado Department of Public Health and Environment, and the Board of County Commissioners for Elbert County, on behalf of Elbert County Health and Environment, regarding the provision of funding to local public health agencies immunization related services through June 30, 2013 for a maximum contract allocation of \$13,800.00 of state funding.
Commissioner Schlegel seconded, motion passed.
- b. ~~Memorandum of Understanding between Elbert County and Elbert County Enterprise Authority (ECEA)~~
- c. ~~Independent Contractor Agreement: Craig Curl~~



- 9. Public Comment:** The public comment is a time when any citizen may bring forth items pertaining to County business. During this time each individual will have three minutes to present view(s) on County matters(s). **In the interest of time, please have your comments prepared for presentation as each person will be allowed one (1) opportunity to approach the podium. Please keep your comments to a three (3) minute maximum.** No formal action will be taken on these items during this time due to open meeting provision; however, the items may be placed on a future posted Agenda if action is required. If you have comments on a regular Agenda item(s), please hold your comments until that item is up for consideration. The public comment portion of the BOCC meeting is not to be used for political or campaign purposes; comments and questions should be limited to matters of current County affairs and business. When you approach the podium please identify yourself, spell your last name and give your address.

- Allen Miskolczi, Kiowa. Mr. Miskolczi came before the Board to recommend an extension on the Water Moratorium set in place July of 2011 and expressed his continued frustration with the past water issues in Elbert County.

Commissioner Schlegel inquired of Alex Beltz, Attorney to the Board of County Commissioners, if any action was to be taken on the Water Moratorium. Mr. Beltz explained that he would need to look into the matter further.

- Paul Schwarzkof, Elizabeth. Mr. Schwarzkof brought before the Board a petition that was recently circulated to re-open the Elizabeth Compactor Site. Mr. Schwarzkof collected approximately 720 signatures on the petition. Commissioner Schlegel inquired as to the percent of population in the County that the petition represents. Mr. Schwarzkof did not know.

- Robert Rowland, Elizabeth. Mr. Rowland explained that water applications are subject to a complex layering of federal, state and local regulatory architectures. It is Mr. Rowland's opinion that Elbert County needs objective standards for evaluating water applications before the Board as existing procedures do not mandate routing such applications through the Planning Commission. A procedure for citizens to provide an objective evaluation of all water proposals needs to be put in place.

- Larry Ross, Agate. Mr. Ross expressed that he is looking forward to hearing the presentation of preliminary observations by the water task force which the BOCC appointed. The long term survival of Elbert County residents depends on the careful and deliberate management of this extremely limited resource. It is Mr. Ross' opinion that upon the expiration of the water moratorium on acceptance of water districts proposals, it is likely that several new proposals will be immediately presented for consideration. Mr. Ross recommended that the Board not accept any water related proposals during the remaining months



of 2012 as the water task force is at a critical stage in the study of Elbert County's water resource.

- Robert Thomasson, Elbert. Mr. Thomasson inquired as to the motivation of the individuals participating in the Elbert County Water Task Force.

10.Land Use: None

11.Attorney: Alex Beltz Attorney to the Elbert County Board of County Commissioners: None

Meeting Adjourned at 9:50a.m.



BOARD OF COUNTY COMMISSIONERS

ELBERT COUNTY, COLORADO

Del Schwab

Del Schwab, Chairman

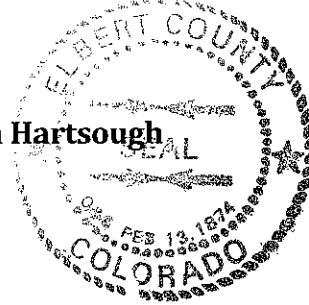
John Shipper

John Shipper, Vice Chair

Kurt Schlegel, Commissioner

ATTEST: Diana Hartsough

County Clerk



BY:

Sheryl D. Caldwell

Clerk to the Board of County Commissioners